

SENATE BILL 2420

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 37
and Title 41, Chapter 21, relative to solitary
confinement.

WHEREAS, the General Assembly recognizes and encourages citizen participation in the democratic process; and

WHEREAS, the Tennessee YMCA Youth in Government Program is an annual conference designed to offer high school and middle school students a hands-on experience with state government; and

WHEREAS, students participating in the 2015 program found that solitary confinement used on juveniles detained or incarcerated within this state can be detrimental to the mental health of juveniles, inhibit social skills necessary to avoid recidivism, and, in some cases, lead to suicide; and

WHEREAS, the student delegates introduced, debated, and passed program legislation limiting the use of solitary confinement as punishment for incarcerated or detained juveniles; and

WHEREAS, this idea is worthy of consideration by the General Assembly; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) This section shall apply to juvenile detention facilities approved, certified, or licensed by the department of children's services, including youth development centers.

(b) Except as provided in subsection (c), no child shall be placed in solitary confinement.

(c) A child who has been adjudicated delinquent and who presents a serious security risk or an imminent threat to the safety of another may be placed in solitary confinement, without a hearing, for a period not to exceed twenty-two (22) hours; provided, that if an administrative hearing is conducted after the initial solitary confinement period, and the child is still found to present a serious security risk or imminent threat to the safety of another, the child may be ordered placed in solitary confinement for no more than six (6) additional days, at a maximum of twenty-two (22) hours per day.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.